

Certain activities in navigable waters are exempt from needing a permit under chapter 30, Wisconsin Statutes. Using this checklist, you can determine if your project qualifies for an exemption.

Biological shore erosion control structures, including but not limited to native vegetation, fiber rolls, fiber mats, live stakes, brush mattresses, branchbox breakwaters, temporary breakwaters, are eligible for an exemption if the project will meet the following conditions:

- ☐ The structure may not be located in an area of special natural resource interest (ASNRI) – see the Designated Waters Search on DNR’s website to determine if your waterway is an ASNRI or has another special designation.
- ☐ If wave barriers are used they shall be located within the 3-foot water depth contour or less, marked with reflectors, and may not create an obstruction to navigation. Any wave breaks or wave barriers shall be completely removed within 2 years of the installation date.
- ☐ Willow wattles, willow posts, brush mattresses, brush layering, fiber roll breakwaters, plant carpets, root wads, and other natural materials shall be installed by hand.
- ☐ Vegetation shall be plant species which are native to the area of Wisconsin where the project is located. Vegetative treatments shall be installed according to the Natural Resources Conservation Service (NRCS) Conservation Practice Standard Code 580 (Streambank and Shoreline Protection) or NRCS Engineering Field Handbook Chapter 16.
- ☐ Fiber rolls shall be secured using can and duckbill anchors or hardwood stakes. Spacing between the duckbill anchors shall be 6 feet or less. Spacing between the hardwood stakes shall be 4 feet or less.
- ☐ A deposit of sand, gravel or stone may be not associated with the biological shore erosion control structure.
- ☐ The riprap may be placed and maintained only by a riparian (an authorized agent or contractor may do the work on behalf of the riparian).
- ☐ The project shall not result in removal of greater than 20% of the aerial coverage of natural bank vegetation, emergent vegetation or floating vegetation, not including the area covered by the footprint of the riprap, or any access corridors necessary for the placement of the riprap.
- ☐ Any grading, excavation and land disturbance shall be confined to the minimum area necessary for the construction and may not exceed 10,000 square feet.
- ☐ Erosion control measures shall meet or exceed the technical standards for erosion control approved by DNR under subchapter V of NR 151, Wis. Adm. Code. Any area where topsoil is exposed during construction shall be immediately seeded and mulched or riprapped to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway.

Note: These standards can be found at the following website:
<http://dnr.wi.gov/org/water/wm/nps/stormwater/techstds.htm>

- ☐ Unless part of a permanent stormwater management plan, all temporary erosion and sediment control practices shall be removed upon final site stabilization. Areas disturbed during construction or installation shall be restored.
- ☐ All equipment used for the project shall be designed and properly sized to minimize the amount of sediment that can escape into the water.
- ☐ No waterward extension of the property is permitted other than what is reasonably necessary to conduct the project and protect the existing bank. No soil or similar fill material may be placed in a wetland or below the ordinary high water mark of any navigable waterway.
- ☐ Dredging is not allowed for the placement or maintenance of any shore erosion control structure.

If your project does not meet all of these conditions, submit a permit application to the Department.

If you have any questions about whether you meet these conditions, you may request an Exemption Determination from DNR. Obtain Form 3500-107, "Chapter 30 Exemption Determination Request" from a DNR service center, or download it from our website at www.dnr.wi.gov under the topic "Waterway and Wetland Permits." Complete the form and submit it to the DNR office identified on the form.